

06/20/01  
1996 U.S. PTO

06-22-01

PTO/SB/05 (4-98)

Approved for use through 09/30/2000. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b).)

Attorney Docket No. SD-8318

First Inventor or Application Identifier CUMMINGS

Title DIELECTROPHORETIC SYSTEMS WITHOUT EMBEDDED ELECTRODES

Express Mail Label No. EL177882888US

i1046 U.S. PTO  
09/88/01A  
06/20/01  
11046 U.S. PTO  
09/88/01**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

- \*Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and duplicate for fee processing)
- Specification [Total Pages 30] 1  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets 5]
- Oath or Declaration [Total Pages 2]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 C.F.R. § 1.63(d))  
(for continuation/divisional with Box 16 completed)
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

**NOTE FOR ITEMS 1 & 13** IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

ADDRESS TO: Box Patent Application  
Assistant Commissioner for Patents  
Washington, DC 20231

5.  Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a.  Computer Readable Copy
  - b.  Paper Copy (identical to computer copy)
  - c.  Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

7.  Assignment Papers (cover sheet & document(s))
8.  37 C.F.R. § 3.73(b) Statement  
(when there is an assignee)
9.  English Translation Document  
(if applicable)
10.  Information Disclosure Statement (IDS)/PTO-1449
11.  Power of Attorney
12.  Preliminary Amendment
13.  Copies of IDS Citations
14.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15.  \*Small Entity Statement(s)  Statement filed in prior application, Status still proper and desired (PTO/SB/09/12)
16.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
17.  Other: \_\_\_\_\_

**16. If a CONTINUATING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:** Continuation    Divisional    Continuation-in-part (CIP)

of prior application No.: \_\_\_\_\_ / \_\_\_\_\_

Group / Art Unit: \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_  
**For CONTINUATION or DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**17. CORRESPONDENCE ADDRESS** Customer Number or Bar Code Label

(Insert)

or  Correspondence address below

(Insert)

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Fax (925) 294-3389

Name (Print/Type) \_\_\_\_\_

Kurt C. Olsen

PATENT AND TRADEMARK OFFICE

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Signature \_\_\_\_\_

Registration No. (Attorney/Agent) \_\_\_\_\_

29,961

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Date 6/20/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FILES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

06/20/01

jc961 U.S. PTO



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# FEE TRANSMITTAL FOR FY 2001

Patent fees are subject to annual revision.

Small Entity payments must be supported by a small entity statement.  
Otherwise large entity fees must be paid. See Forms PTO/SB/09-12.TOTAL AMOUNT OF PAYMENT (\$)**970.00****Complete if Known**

Application Number	Not Assigned
Filing Date	06/21/2001
First Named Inventor	Cummings
Examiner Name	not assigned
Group / Art Unit	not assigned
Attorney Docket No.	SD-8318

**METHOD OF PAYMENT** (check one)

The Commissioner is hereby authorized to charge

- 1.
- 
- Indicated fees and credit any over payments to:

Deposit Account Number **50-0583**Deposit Account Name **SNL by KCO** Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

## 2. Payment Enclosed:

 Check     Money Order     OtherSUBTOTAL (2) (\$)**260.00****FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	

147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840	11	1,840	Requesting publication of SIR after Examiner	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	

138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final refection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)

**SUBMITTED BY**Name (Print/Type) **Kurt C. Olsen** Complete (if applicable)  
Reg. Number (Attorney/Agent) **29,961** Telephone (925) 294-3573

Signature

Date **6/20/01**

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

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**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Cummings, Eric
Title	Dielectrophoretic Systems
Atty Docket Number	SD - 8318

I hereby certify that the invention disclosed in the attached application **has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.**

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

6/14/01

Date



Signature

D.A. Nissen

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing.**

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.